

R-20

DS CV 10243 R6S

SUCV2004-05403

Mallen et al v Boston Public Schools of City of Boston et al

<b>File Date</b>	12/13/2004	<b>Status</b>	Disposed: transfered to other court (dtrans)
<b>Status Date</b>	02/09/2005	<b>Session</b>	F - Civil F
<b>Origin</b>	1	<b>Case Type</b>	B99 - Misc tort
<b>Lead Case</b>		<b>Track</b>	F

<b>Service</b>	03/13/2005	<b>Answer</b>	05/12/2005	<b>Rule 12/19/20</b>	05/12/2005
<b>Rule 15</b>	05/12/2005	<b>Discovery</b>	10/09/2005	<b>Rule 56</b>	11/08/2005
<b>Final PTC</b>	12/08/2005	<b>Disposition</b>	02/06/2006	<b>Jury Trial</b>	Yes

## PARTIES

## Plaintiff

Steven H. Mallen  
Active 12/13/2004

## Plaintiff

William J. Mallen  
Active 12/13/2004

## Defendant

Boston Public Schools of City of Boston  
Served: 01/18/2005  
Served (answr pending) 01/25/2005

## Defendant

Anthony Pomella  
Service pending 12/13/2004

## Private Counsel 561160

James F. Champa  
1 McKinley Sq  
6th Floor  
Boston, MA 02109-1814  
Phone: 617-523-1885  
Fax: 617-523-7441  
Active 12/13/2004 Notify

\*\*\* See Attorney Information Above \*\*

## Private Counsel 629160

Robyn Andrea Porter  
26 Court Street  
7th Floor  
Boston, MA 02108  
Phone: 617-635-9320  
Fax: 617-635-9327  
Active 02/09/2005 Notify

FILED  
CLERK'S OFFICE  
2005 FEB 23 P 12:54  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

## ENTRIES

Date	Paper	Text
12/13/2004	1.0	Complaint & jury demand on complainy (all issues)
12/13/2004		Origin 1, Type B99, Track F.

**SUCV2004-05403**

**Mallen et al v Boston Public Schools of City of Boston et al**

Date	Paper	Text
12/13/2004	2.0	Civil action cover sheet filed
01/25/2005	3.0	SERVICE RETURNED: Boston Public Schools of City of Boston(Defendant) (in hand)
02/08/2005		Certfied copy of Petition for removal to the US Dist court of deft City of Boston/ Boston Public Schools (US Dist#05-10243RGS)
02/09/2005		Case REMOVED this date to US District Court of Massachusetts

**EVENTS**

# Commonwealth of Massachusetts

SUFFOLK, ss.



SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT  
CIVIL ACTION

No. 04-5403F

William J. Mallen & Steven H. Mallen, Plaintiff(s)

v.

City of Boston/  
Boston Public Schools & Anthony Pomella, Defendant(s)

## SUMMONS

Anthony Pomella  
170 Steamboat Drive, Marshfield, MA 02050

To the above-named Defendant:

You are hereby summoned and required to serve upon James F. Champa  
CHAMPA & POWERS, P.A.

plaintiff's attorney, whose address is One McKinley Square, Boston 02109, an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You are also required to file your answer to the complaint in the office of the Clerk of this court at Boston either before service upon plaintiff's attorney or within a reasonable time thereafter.

Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim which you may have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of the plaintiff's claim or you will thereafter be barred from making such claim in any other action.

Witness, Barbara J. Rouse, Esquire, at Boston, the 2nd day of February, in the year of our Lord two thousand and Five.

*Michael Joseph Donovan*  
Clerk/Magistrate

### NOTES.

1. This summons is issued pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure.
2. When more than one defendant is involved, the names of all defendants should appear in the caption. If a separate summons is used for each defendant, each should be addressed to the particular defendant.

1. ATTORNEY FEE (CHECK ONE) ☐ NONE ☐ \$                       
2. MOTOR VEHICLE FEE ☐ \$                      ☐ NONE ☐ \$                      ☐ OTHER